



## GALLATIN COUNTY

### **Zoning Variance Evaluation Criteria**

In reviewing proposed zoning variances, the hearing body will consider the following criteria, each of which must be addressed in your application packet.

- ☐ A literal interpretation of the zoning regulation would cause the applicant an *unnecessary hardship*.
- ☐ The *unnecessary hardship* is caused by exceptional, non-self-imposed circumstances that are unique to the property, such as size, shape, topography, location, surroundings, or other conditions over which the applicant has had no control since the adoption of the zoning regulation.
- ☐ The variance is necessary for the preservation of a property right of the applicant that is substantially the same as that possessed by owners of other property in the same zone.
- ☐ The variance will not confer on the applicant any special privilege that the zoning regulation denies to other property owners in the same zone.
- ☐ The variance will not permit a use that the zoning regulation does not allow in the subject zone.
- ☐ The variance requested is the minimum variance that would alleviate the hardship.
- ☐ The variance would not be materially detrimental to the character, use or value of property in the same zone or vicinity.
- ☐ The variance will be in harmony with the general purpose and intent of the zoning regulation and master plan.
- ☐ The spirit of the zoning regulation will be observed, public safety and welfare secured, and substantial justice done.
- ☐ The variance will not be contrary to the public interest.

F:\PLNG\FORMS\variance criteria.02\_01.doc